

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
v.	)	Criminal No. 13-00278-02-CR-W-DGK
	)	
	)	
ANTHONY TRURICE GRAYSON,	)	
	)	
Defendant.	)	

**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

**PENDING CHARGE:** On August 7, 2013, the grand jury returned a one count indictment against defendant Anthony Trurice Grayson and two other defendants<sup>1</sup> charging a conspiracy to manufacture methamphetamine in an amount of fifty (50) grams or more. The case against Mr. Grayson was tried to a jury November 4-6, 2014. The jury was unable to reach a verdict. Following that trial the government filed a superseding indictment. In addition to the original charge of conspiracy to manufacture methamphetamine (Count I), the new indictment added charges that the defendant attempted to manufacture methamphetamine (Count II), possessed pseudoephedrine for use in the manufacture of methamphetamine (Count III), controlled a residence and made it available for the purpose of manufacturing/storing or using methamphetamine (Count IV) and having been convicted of a felony possessed in and affecting interstate commerce explosives (Count IV).

The following matters were discussed and action taken during the pretrial conference:

**TRIAL COUNSEL:**

Government: Joseph Marquez and Jeffrey McArthur  
Case Agent: Special Agent Doug Dorley of the DEA  
Defense: Michael McIntosh, Larry Schaffer and David Becker

**OUTSTANDING MOTIONS:**

1. Defendant's Motion in Limine (doc. # 133); opposed by the government (doc. # 134);
2. United States' Motion in Limine for an Order Prohibiting Mention of Defendant's Prior Trial (doc. # 134); during the pretrial defense counsel stated they did not oppose this motion.

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<sup>1</sup> Defendants Glenn DiFalco and Clarissa Cooper have both entered changes of plea, and defendant DiFalco has been sentenced.

**TRIAL WITNESSES:**

Government: 6 with stipulations; 9 without stipulations  
Defendants: 3 witnesses, including the defendant

**TRIAL EXHIBITS**

Government: 100 exhibits (mostly photographs)  
Defendant: 0-5 exhibits for defendant

**DEFENSES:** General Denial

**POSSIBLE DISPOSITION:**

( X ) Definitely for trial; ( ) Possibly for trial; ( ) Likely a plea will be worked out

**TRIAL TIME: 3-4 days**

Government's case including jury selection: 2 ½ -3 days  
Defense case: ½ day

**STIPULATIONS:** Government counsel has proposed six stipulations. Defense counsel is in the process of reviewing them with his client and will advise the Court this week if he can stipulate to one or more of the proposals.

**UNUSUAL QUESTIONS OF LAW:** None

**FILING DEADLINES:**

**Witness and Exhibit Lists:** The parties did not file witness and exhibit lists before the pretrial conference, but will have them on file by the close of business on Wednesday, February 11, 2015.

**Please note:** The witness list should be in alphabetical order.

**Exhibit Index, Voir Dire, Jury Instructions: By noon on Wednesday, February 18, 2015.**

**Please Note:** Jury instructions must comply with Local Rule 51.1

**TRIAL SETTING:** Criminal jury trial docket commencing February 23, 2015

**Please note:** Government counsel request the second week of the docket.

**IT IS SO ORDERED.**

*/s/ Sarah W. Hays*  
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SARAH W. HAYS  
UNITED STATES MAGISTRATE JUDGE